

Appl. No. : 10/775,046
Filed : February 9, 2004

REMARKS

In response to the Office Action mailed July 8, 2005, Applicants respectfully request the Examiner to reconsider the above-captioned application in view of the foregoing amendments and the following comments. As a result of the amendments listed above, Claims 1-21 have been canceled, without prejudice or disclaimer. New Claims 22-26 have been added.

In the changes made by the current amendment, ~~deletions are shown by strikethrough, and additions are underlined.~~

Claims 1-21 Have Been Canceled

Claim 3 presently stands rejected under 35 U.S.C. § 101 for same invention double patenting. Claims 1, 2 and 4-6 presently stand rejected under the judicially created doctrine of obviousness-type double patenting. Claims 1, 2 and 4-6 also stand rejected under 35 U.S.C. § 102(b) as being anticipated by one or more of Teicher, Higham and Wan et al. Claims 7-21 are withdrawn from consideration. In response, Applicants have canceled Claims 1-21 and, thus, believe that the outstanding rejections are now moot.

Claims 22-26 Have Been Added

New Claims 22-26 have been added. The new claims are fully supported by the application as filed. Accordingly, no new matter has been added by this Amendment.

New Claims 22-26 are directed toward a controlled inventory system including, among other recitations, an enclosure, a plurality of bins in the enclosure, a plurality of weight sensors and one or more particular types of inventory items. At least one door is configured to permit or prevent access to said bins within said enclosure and a lock is configured to secure the door in a closed position. An input device is configured to receive information regarding user identification, user department and job account for a particular transaction. If the system determines from the user identification and user department information that both the user and the user's department are authorized to access the items within the particular enclosure to which access has been requested, then the system unlocks the door to permit access to the enclosure. The system then determines the change in inventory levels within the enclosure as a result of the

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transaction and creates a transaction account including user identification, user department and job account information.

Such an arrangement is especially advantageous in a manufacturing environment where accurate inventory information is very important. Moreover, the system of Claim 22 is advantageous in permitting an entity to generate detailed costing information regarding its manufacturing processes by utilizing the information generated by the system. That is, by creating transaction accounts that track inventory item quantity usage in connection with particular users, departments and jobs, the entity can accurately determine its actual costs for manufacturing specific products, or derive performance indicators of individual departments or jobs. Such information may be easily obtained and organized by the claimed system. Such detailed information regarding actual manufacturing costs can provide a manufacturing entity with a significant advantage over its competitors.

In contrast, none of the prior art systems permit the inventory control and inventory reporting functions of the presently-claimed system. For example, the Wan et al. reference discloses a medicine cabinet that assists users in taking the appropriate amounts of the appropriate medications. The system, however, does not disclose or suggest controlling access to inventory based on a combination of user identification and user department information. Nor does Wan et al. disclose or suggest creating transaction accounts including user identification, user department information and job information that can be used for analysis purposes.

The Teicher reference discloses a vending system which is configured to receive a method of payment, which may arguably permit the user to be identified. However, the Teicher system utilizes the method of payment to determine if the particular user is able to pay for a portion or all of the inventory within the vending machine, and then permits access to the vending items on that basis. The system, however, does not disclose or suggest controlling access to inventory based on a combination of user identification and user department information. Nor does Teicher disclose or suggest creating transaction accounts including user identification, user department information and job information that can be used for analysis purposes.

The Higham reference discloses a medical supply system which provides controlled access to medical supply or pharmaceutical items. The Higham device uses certain information

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in determining whether to grant access, including information regarding the nurse requesting access, the particular item desired, the quantity of items desired and, in some cases, patient information. The requirement for information with the Higham device is one of safety. That is, to ensure that the only appropriate personnel have access to medical supplies and that access is granted only in an appropriate quantities.

However, as discussed in the present specification, such systems employ many security measures, such as individual locks on each bin or compartment, and are generally cost-prohibitive for applications other than medical devices and pharmaceuticals. Furthermore, the Higham device does not disclose or suggest the particularly claimed combination of controlled access and collection of information. That is, Higham does not disclose or suggest controlling access to inventory based on a combination of user identification and user department information. Nor does Teicher disclose or suggest creating transaction accounts including user identification, user department information and job information that can be used for analysis purposes.

CONCLUSION

For the foregoing reasons, it is respectfully submitted that the rejections set forth in the outstanding Office Action are inapplicable to the present claims and specification. Accordingly, early issuance of a Notice of Allowance is most earnestly solicited.

The undersigned has made a good faith effort to respond to all of the rejections in the case and to place the claims in condition for immediate allowance. Nevertheless, if any undeveloped issues remain or if any issues require clarification, the Examiner is respectfully requested to call Applicant's attorney, Curtiss C. Dosier at (949) 721-7613 (direct line), to resolve such issue promptly.

01-09-2006 03:50pm From-KNOBBE MARTENS OLSON BEAR LLP +949-760-9502 T-503 P.009/009 F-692

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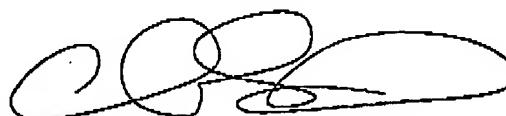
Please charge any additional fees, including any fees for additional extension of time, or credit overpayment to Deposit Account No. 11-1410.

Respectfully submitted,

KNOBBE, MARTENS, OLSON & BEAR, LLP

Dated: January 9, 2006

By:



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